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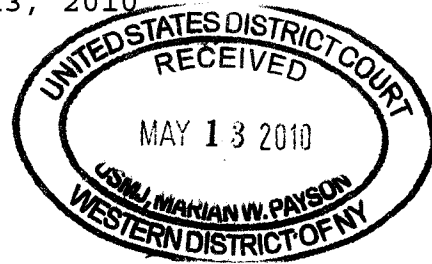
Western District of New York

620 Federal Building  
100 State Street  
Rochester, New York 14614

(585)-263-6760  
(585)-263-6226 (fax)

Writer's Extension: 2251  
fax: 585/263-6420  
e-mail: Tiffany.Lee@usdoj.gov

May 13, 2010



Honorable Marian W. Payson  
United States Magistrate Judge  
United States Courthouse  
100 State Street  
Rochester, NY 14614

Re: United States v. Kelly Grice, 10-MJ-4025

Dear Judge Payson:

The parties are scheduled for a status appearance next week. Ms. Grice and Mr. Wood have met with the government already and I am in the process of drafting a proposed plea resolution.

I would respectfully request an adjournment of the Wednesday, May 19 status date for a couple of weeks to allow me time to forward a proposed plea offer to Mr. Wood, and time for Mr. Wood and Ms. Grice to consider the offer. I would further respectfully request a speedy trial exclusion in the interests of justice in that it is in the interests of the parties to see if the matter can be resolved pre-indictment.

I have spoken with Mr. Wood who has no opposition to the government's request.

Request granted. The status conference shall be adjourned until 6/8/10, at 9:00 am. At <sup>the government's</sup> ~~defendant's~~ request, time shall be excluded in the interests of justice under 18 U.S.C. § 3161(h)(7) between today and the date for the conference because I find that the defendant's and the public's interests in a speedy indictment and a speedy trial are outweighed by the defendant's interest in having sufficient time to continue plea negotiations with the government and in securing effective assistance of counsel.  
cc: Robert W. Wood, Esq. <sup>5/14/10</sup> <sup>Marian W. Payson</sup>

Respectfully submitted,

WILLIAM J. HOCHUL, Jr.  
United States Attorney

TIFFANY H. LEE  
Assistant United States Attorney